

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/687,837 Confirmation No. : 2005
First Named Inventor : Kenshou MIYATAKE
Filed : October 20, 2003
TC/A.U. : 2627
Examiner : T. Goma

Docket No. : 010482.52834US
Customer No. : 23911

Title : Optical Pickup Device and Optical Disk Playback Device
Provided Therewith

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election of Species Requirement dated May 31, 2007, Applicant elects, with traverse, Species C corresponding to Figure 3. Claims 3-6 encompass this species. Applicant reserves the right to file a divisional application directed toward the non-elected claims.

Applicant traverses the Election Requirement on the grounds that the Requirement has not provided any evidence of an examination and search burden. Specifically, the Requirement merely states, without identifying any separate areas of search or different search queries, that examination of the different species requires different fields of search. If this Requirement is maintained, Applicant respectfully requests that the next communication from the Patent Office identify the different search areas required for searching and examining the different species.

If there are any questions regarding this application, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #010482.52834US).

Respectfully submitted,

June 27, 2007



Stephen W. Palan
Registration No. 43,420

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
SWP:crr
3617784